

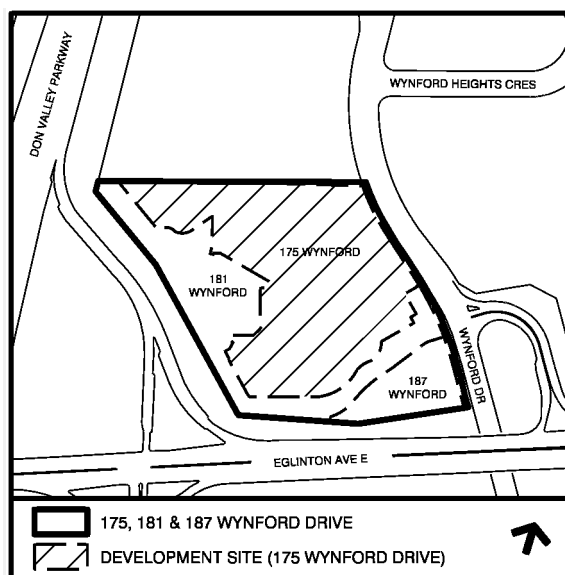
175 Wynford Drive - Zoning By-law Amendment Application – Final Report

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| Date: | October 23, 2015 |
| To: | North York Community Council |
| From: | Director, Community Planning, North York District |
| Wards: | Ward 26 – Don Valley West |
| Reference Number: | 13 133523 NNY 26 OZ |

SUMMARY

This application is to amend Zoning By-law No. 365-2007, which is a site specific By-law that applies to the properties at 175, 181 and 187 Wynford Drive. The site presently contains a 34 storey apartment building (Accolade condominium - 181 Wynford Drive), a six storey hotel (Don Valley Hotel and Suites – 175 Wynford Drive) and a six storey seniors residence (Delmanor – 187 Wynford Drive). The application proposes to add two residential towers of 30 and 36 storeys containing 700 units along with the conversion of the existing hotel to 283 units consisting of 141 hotel rooms and 142 residential units for a total of 983 new units at 175 Wynford Drive. The development would have a Floor Space Index of 3.16 over all three properties and a Floor Space Index of 3.44 over just 175 Wynford Drive.

The proposal is consistent with the Provincial Policy Statement (PPS) 2014 by promoting efficient land use and development patterns and the proposal conforms to the Growth Plan for the Greater Golden Horseshoe as it optimizes the use of existing infrastructure to support growth in a compact and efficient form. The proposed development meets the policies in the *Mixed Use Areas* designation by proposing intensification along a higher order transit corridor and proposing a built form and site layout that is compatible with surrounding uses.



This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend site specific Zoning By-law 365-2007, amending former City of North York Zoning By-law 7625, for the lands at 175, 181 and 187 Wynford Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 175, 181 and 187 Wynford Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the Owner of 175 Wynford Drive to enter into an Agreement pursuant to Section 37 of the *Planning Act* to the satisfaction of the Director, Community Planning, North York District and the City Solicitor as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i. Prior to the issuance of an above grade building permit the Owner shall provide a financial contribution in the amount of \$900,000 to be used toward the provision of a community facility in the vicinity of this development.
 - ii. The financial contribution referred to in subsection (i) shall be indexed upwardly in accordance with the Statistics Canada Non-Residential or Apartment Building-Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
 - iii. In the event the cash contribution referred to in Section 4.a.i has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
 - b. The following matters are to be secured in the Section 37 Agreement as a legal convenience in support of the development:
 - i. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto

City Council at its meeting of October 26 and 27, 2009.

- ii. The Owner shall provide pathway improvements on site and public access/connections into the Open Space Area abutting the site along the top of bank to the north from Wynford Drive. The design, location and materials of the access/connections into this area shall be secured through the site plan approval process, in consultation with the Toronto and Region Conservation Authority and to the satisfaction of the Chief Planner and Executive Director, City Planning.
- iii. The Owner shall provide an outdoor recreation area for the use of young children having a minimum area of 80 m², which is of high quality design and of durable materials. The design and materials of the children's play area shall be secured through the site plan approval process, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- iv. The Owner shall provide reciprocal access to all residents at 175 Wynford Drive within the existing 6 storey building and the proposed new 30 and 36 storey buildings, for the purpose of access and use of all indoor and outdoor amenity areas.
- v. Prior to issuance of the first building permit, including excavation or demolition permits, the owner shall submit and implement a Construction Management Plan and Neighbourhood Communication Strategy, to the satisfaction of the Executive Director, Engineering and Construction Services, in consultation with the Chief Planner and Executive Director, City Planning.
- vi. The owner is required to convey all of the subject site below the top-of-bank zoned as Open Space - O1(36), to the Toronto and Region Conservation Authority and install a fence along the staked top of bank slope line, to the satisfaction of the Toronto and Region Conservation Authority in consultation with the Chief Planner and Executive Director, City Planning.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On April 24, 2007 City Council enacted Zoning By-law No. 365-2007, a site specific by-law that amends former City of North York Zoning By-law 7625. This site specific Zoning By-law permits a 34 storey, 328 unit apartment building at the northwest corner of the site and a 6 storey senior's residence at the Eglinton Avenue East frontage of the site (see Attachment 2 – Existing Site Plan). The 34 storey apartment building and 6 storey senior's residence were constructed in 2008 - 2009. The senior's residence contains 120 living units.

The Staff Report on Zoning By-law 365-2007 is available on the City's website at:
<http://www.toronto.ca/legdocs/2006/agendas/committees/ny/ny060509/it040.pdf>

At its meeting on June 18, 2013 North York Community Council (NYCC) considered the Preliminary Report for this Zoning By-law Amendment application. Community Council directed that City Planning staff schedule a community consultation meeting together with the Staff report for action – Final Report – 175 Wynford Drive

Ward Councillor with an expanded notification area, and that notice for the public meeting be given according to regulations of the Planning Act.

The Preliminary Report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY25.37>

The City of Toronto's Eglinton Connects Planning Study examined the future land uses, built form, public realm and road layout on Eglinton Avenue, in anticipation of the opening of the Eglinton Crosstown LRT in 2020. At its meeting of May 6-8, 2014, City Council considered the Final Directions Report for the Eglinton Connects Planning Study. The Phase 1 (Part 1) Implementation Report for the Study was considered by Council at its meeting of July 8-9, 2014 and the Phase 1 (Part 2) Implementation Report was considered by City Council at its meeting of August 25-28, 2014.

The reports and Council's directions can be found here:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=44ae86664ea71410VgnVCM10000071d60f89RCRD>

ISSUE BACKGROUND

Proposal

This application is to amend site specific Zoning By-law No. 365-2007 which applies to the properties at 175, 181 and 187 Wynford Drive. The properties presently contain a 34 storey apartment building (Accolade condominium – 181 Wynford Drive), a six storey hotel (Don Valley Hotel and Suites – 175 Wynford Drive) and a six storey seniors residence (Delmanor – 187 Wynford Drive). The application proposes to add two residential towers of 30 and 36 storeys containing 700 units at 175 Wynford Drive. Additionally, the existing 353 hotel rooms would be renovated resulting in 283 units comprised of 141 hotel rooms and 142 residential units. The total number of residential units and hotel units on site (175 Wynford Drive) would be 983 units. Although not being proposed at this time, the applicant would also like the flexibility to convert the 283 hotel/residential units into 283 senior's residence living units.

The proposed development would be located on the portion of the property that is currently developed with the hotel, conference and convention wing and surface parking lot. The 2-storey conference and convention wing and surface parking lot would be demolished to accommodate the proposed development, new outdoor amenity area and the pedestrian and vehicular access. The main 6-storey portion of the hotel towards the north end of the site would remain. The proposed 30 storey condominium tower would be located on the east side of the site facing Wynford Drive. The 36 storey condominium tower would be located on the southern portion of the site facing Eglinton Avenue East (Attachment 1 – Site Plan).

The proposal is for a total gross floor area of 72,840 m², consisting of 29,789 m² of new residential gross floor area for tower 1 (36 storeys), 24,545 m² of new gross floor area for tower 2 (30 storeys) and the conversion of 20,893 m² of hotel to 18,513 m² of hotel and residential space. The actual hotel floor area is being reduced by 2,380 m² to accommodate the new residential towers. The existing 34-storey Accolade condominium building has a gross floor area of 31,367m² and the existing 6-storey Delmanor retirement residence has a gross floor area of 11,097m². The total overall development including all existing and proposed buildings at 175,

181 and 187 Wynford Drive would have a gross floor area of 115,311 m² resulting in a density or Floor Space Index of 3.16 FSI.

Further project details are summarized on Table 1 below.

| Table 1 | | | | |
|-------------------|-----------------------|-----------------------|---|---------------------------------|
| | Proposed Tower 1 | Proposed Tower 2 | Hotel | Total |
| Unit Count | | | *141 rooms to remain | |
| Bachelor | 10 | 10 | 50 | 70 |
| One-bedroom | 220 | 184 | 92 | 496 |
| Two-bedroom | 150 | 126 | | 276 |
| Total | 380 | 320 | 142 | 983 (*incl. hotel rooms) |
| Number of Storeys | 36 | 30 | 6 | |
| Height | 112 metres | 97 metres | 18.7 metres | |
| Gross Floor Area | 29,789 m ² | 24,545 m ² | 18,513 m ² (10,015m ² hotel and 8,498m ² residential) | 72,847 m ² |
| Tower Floor plate | 750 m ² | 750 m ² | | |

The proposed development includes additional outdoor amenity space and a pedestrian walkway network to provide better connections into and through the site. New outdoor amenity areas include a green terrace at the entrance area shared by the hotel and the two proposed residential buildings, a green space adjacent to a renovated outdoor pool in front of the hotel and a green space on the west side of the residential building which faces Eglinton Avenue East. A walking trail adjacent to the ravine at the north end of the site is proposed for use by all residents of the site and the public. The present amenities contained within the hotel include meeting rooms, an indoor and outdoor swimming pool, fitness rooms and a yoga studio. The proposed two new residential towers include 1,442 square metres of indoor amenity space and 1,410 square metres of outdoor amenity space.

The site is approximately 9 metres (3 storeys) above Wynford Drive and Eglinton Avenue East. The proposed development responds to this grade change with development, open space and access on different levels. Pedestrian access to the site is via a stairway from Wynford Drive to the front entrance of the easterly residential tower and a stairway from Eglinton Avenue East to the front entrance of the southerly residential tower. A new interior pedestrian walkway network provides connections to all the buildings and open spaces on the site.

Currently, vehicular access is from Wynford Drive via a main driveway at the midpoint of the Wynford Drive frontage and from a second driveway about 100 metres north of the main driveway. In the proposed development, the northernmost driveway would continue to provide access to the site but access to the subject site from the midpoint driveway would be eliminated. The northern most driveway is a private street designed with walkways, street trees and lighting. Delmanor and the Accolade would continue to gain access from the midpoint driveway. The northern driveway proceeds south and west for access to the existing hotel and a portion continues southward providing access to the P1 level of the underground garage of the proposed easterly building (30-storey) facing Wynford Drive. The driveway then leads west towards the lobby entrances of both the hotel and the proposed westerly building (36-storeys) facing Eglinton

Avenue East. The entrance area provides laybys for passenger pickup and drop off for the hotel and residential building. The entrance area contains a circular driveway with landscaping and 12 vehicular parking spaces (Attachment 1 – Site Plan).

The current main driveway which starts at the midpoint of the Wynford Drive frontage and extends across the southern portion of the site is owned by the existing 34-storey condominium (The Accolade). The hotel and the senior's residence have vehicular and pedestrian easements for access over this driveway. The two proposed residential towers would not have vehicular access over this driveway but will have pedestrian access.

The proposed development would have a total of 949 vehicular parking spaces in a 4 level underground parking garage plus a total of 525 bicycle parking spaces. For the two residential condominium towers which contain 700 units, 796 parking spaces would be provided of which 140 will be for visitors. The hotel currently has 353 rooms and 300 parking spaces. The converted hotel would have 283 units and will provide 153 parking spaces. The hotel currently has access to an additional 157 parking spaces in the existing condominium (The Accolade) parking garage. Under the Accolade condominium declaration the additional 157 parking spaces are to revert back to The Accolade upon further development of the property.

The project statistics are included in the Application Data Sheet in Attachment 6.

Site and Surrounding Area

The 3.6 ha site containing 175, 181 and 187 Wynford Drive fronts onto the north side of Eglinton Avenue East between Wynford Drive and the Don Valley Parkway. A ravine defines the northern boundary of the site. The site was developed in the 1960's with a hotel (originally municipally known as 1250 Eglinton Avenue East), owned and operated over the years by Holiday Inn, Radisson and The Crowne Plaza. It is now the Don Valley Hotel and Suites. The property was redeveloped in 2008 to include the Delmanor retirement residence (187 Wynford Drive) and Accolade residential condominium (181 Wynford Drive). The existing site layout is shown on Attachment 2 – Existing Site Plan.

The hotel portion of the property, as illustrated on Attachment 2, has a site area of 2.1 ha. It is currently developed with 6-storey hotel with 353 hotel rooms. The hotel includes a two storey wing that extends south towards Eglinton Avenue East containing a convention and conference space. The proposed development would be contained within the portion of the property that is currently developed with the hotel, conference and convention wing and large surface parking lot.

The Accolade condominium, located at the northwest corner of the site adjacent to the Don Valley Parkway is a 34-storey building containing 328 dwelling units with 445 parking spaces. The Delmanor seniors residence, located at the southeast corner of the property along the Eglinton Avenue East frontage is a 6-storey building containing 120 living units, 60 parking spaces and amenity space.

Vehicular access to the property is currently provided by two driveways from Wynford Drive. The main (southerly) entrance is located opposite the signalized intersection of the access to the westbound on/off-ramp to Eglinton Avenue East. The use of this main driveway is shared between the Delmanor retirement residence, the Accolade condominium and the hotel. Vehicles

are able to access the hotel surface parking area on the south and east sides of the hotel via this main driveway.

The second driveway at the north end of the site provides access to hotel surface parking spaces and the pick-up/drop-off area off the hotel lobby entrance.

Surrounding uses include:

North: Lands designated *Open Space Areas* and *Natural Areas* then lands designated *Mixed Use Areas* developed with the 3 storey Noor Japanese Canadian Cultural Centre (123 Wynford Drive) and 21-storey and 25-storey condominium apartment buildings (133 and 135 Wynford Drive);

South: Eglinton Avenue East then lands designated *Open Space Areas* and lands designated *Apartment Neighbourhoods* that are developed with three condominium apartment buildings with heights of 28, 29 and 29 storeys (The Palisades at 195-205-215 Wynford Drive);

East: Lands designated *Apartment Neighbourhoods* developed with two rental apartment buildings with heights of 21 and 25 storeys (Wynford Towers at 35 and 45 Wynford Heights Crescent) and the westbound on/off ramp to/from Eglinton Avenue East then lands designated *Natural Areas*;

West: The on ramp to northbound Don Valley Parkway.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshow including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject site is located within a *Mixed Use Areas* designation within the Official Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Development criteria in *Mixed Use Areas* includes:

- a) creating a balance of high quality commercial, residential, institutional and
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open space uses that reduce automobile dependency and meet the needs of the local community;

- b) locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale Neighbourhoods;
- c) locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes;
- d) locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- e) provide an attractive, comfortable and safe pedestrian environment;
- f) have access to schools, parks, community centres, libraries, and childcare;
- g) take advantage of nearby transit services;
- h) provide good site access and circulation and an adequate supply of parking for residents and visitors;
- i) locate and screen services areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- j) provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Section 3.1.2 identifies the importance of urban design as a fundamental element of city building and contains built form policies intended to minimize the impacts of new development and guide the form of new buildings to fit within the context of the neighbourhood and the City. These policies guide new development to be located and organized to fit with its existing and/or planned context. They will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual view to these spaces. New developments will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces. New development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties. New development will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas. New development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians. Also, every significant new multi-residential development will provide indoor and outdoor amenity space for residents of the new development. Each resident of such development will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces. Similar built form policy objectives are found in Section 3.1.3 as they specifically relate to tall buildings.

A small portion of the site, north of the existing hotel, is located within the Natural Heritage System as identified on Map 9 of the Official Plan. The Natural Heritage policies of the Plan speak to the need to evaluate all proposed development in or near the Natural Heritage System to determine potential impacts of development on the natural heritage system. Development is also required to be setback at least 10 metres or more if warranted from areas such as: top of bank valleys, ravines and bluffs; and other locations where slope instability, erosion, flooding or other physical conditions present a significant risk to life or property.

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

The Toronto Official Plan is available on the City's website at:

www.toronto.ca/planning/official_plan/introduction.htm

Design Criteria for the Review of Tall Building Proposals

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The application proposes two tall buildings on the site. The Tall Building Design Guidelines were used to inform the review and assessment of the tall buildings within this proposal. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Zoning

The majority of the property is zoned RM6(163) under site specific Zoning By-law No. 365-2007 that amends the former City of North York Zoning By-law No. 7625 (see Attachment 5). The zoning permits a 34-storey, 328-unit apartment building (The Accolade at 181 Wynford Drive), a 6-storey Retirement Residence with 120 units (Delmanor at 187 Wynford Drive), and a 6-storey hotel containing 353 rooms (Don Valley Hotel and Suites at 175 Wynford Drive). The Zoning By-law permits a maximum Floor Space Index of 2.0 FSI and sets out performance standards related to parking spaces, setbacks and distances between the buildings and Section 37 matters. Zoning By-law 365-2007 also includes an Open Space Zone (O1) with a special exception to prohibit any structures for the portion of the lands north of the existing hotel which are designated as a Natural Heritage Area in the Official Plan.

On May 9, 2013, City Council enacted a new city-wide Zoning By-law for the City of Toronto. Zoning By-law 569-2013 has been appealed in its entirety and is now before the OMB. While the By-law is under appeal, the provisions of both the former North York zoning by-law and the new zoning by-law are in effect for sites that are subject to Zoning By-law 569-2013. Under the City of Toronto Zoning By-law 569-2013 the subject property is zoned Residential Apartment (RA) with an exception that Zoning By-law 365-2007 shall prevail.

Site Plan Control

The proposed development would be subject to Site Plan Approval and an application has not yet been submitted.

Ravine Control

The site is subject to the City of Toronto Ravine and Natural Feature Protection By-law. The purpose of the By-law is to promote the management, protection and conservation of ravines and associated natural and woodland areas and to prohibit and regulate the injury and destruction of trees, filling and dumping. A permit is required to conduct any of the above activities on the ravine protected areas and the General Manager of Parks, Forestry & Recreation is authorized to

issue permits to injure or destroy trees or alter the grade where applicable. The issuance of permits may be subject to conditions.

Toronto and Region Conservation Authority

The northern portion of the site is regulated by the Toronto and Region Conservation Authority (TRCA). A permit is required from the TRCA prior to any of the following works: straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland or development, if in the opinion of the authority, the control of flooding, erosion or pollution or the conservation of land may be affected by the development.

Reasons for the Application

An application to amend Site Specific Zoning By-law 365-2007 and City of Toronto Zoning By-law 569-2013 is required to permit additional residential development and to establish appropriate zoning regulations for matters such as, but not limited to: gross floor area, height, setbacks, parking and amenity space.

Community Consultation

A community consultation meeting was held on September 12, 2013 with approximately 100 people in attendance as well as City staff and the local Councillor. Issues raised at the meeting and through correspondence and telephone calls are as follows:

- Concern about the increase in traffic generated by the proposed number of units;
- Lack of infrastructure to support the development including the traffic network and community services and facilities;
- Lack of green space and play space on the site;
- Proposed density and height is excessive;
- Light, shadow, privacy and view impacts on adjacent development and properties; and
- Nuisance during construction including noise, dust, traffic disruption.

Following the community consultation meeting, the local Councillor organized a working group to further discuss and evaluate the proposed development. Two working group meetings were held in the first half of 2014.

The first working group meeting was held on February 27, 2014 with approximately 11 people in attendance as well as City staff, the applicant's consultant team, and the local Councillor. The issues discussed at the working group meeting were as follows:

- How to make site circulation and access more pedestrian friendly and connect the development with the rest of the neighbourhood, including the proposed LRT and the ravine;
- How to knit the proposed development proposal and the Accolade building to provide a sense of community;
- Lack of open space to be used as a children's playground, a dog run, or as open space for residents gatherings;
- Adequacy of utilities and infrastructure in the local area;
- Existing and future traffic impacts on Eglinton Avenue East and intersection at Wynford Drive and Concorde place; and

- Vehicular restrictions on the southern driveway by the owner.

The second working group meeting was held on May 6, 2014 with approximately 12 people in attendance as well as City staff, the applicant's consultant team, and the local Councillor's Executive Assistant. The applicant presented revised plans which responded to concerns raised in the first working group meeting. The issues discussed at the second working group meeting were as follows:

- Ability to share the hotel's facilities and proposed uses in the hotel podium;
- Stormwater management and the effect on on-site green spaces;
- Traffic impacts and the requirement for a revised traffic study to be submitted and reviewed by the City;
- Concerns over the one access point;
- Lack of childcare in the community including a children's playground on the subject site;
- Desire to provide better accessibility to the ravine; and
- Concerns over wind conditions around the tall buildings.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement (PPS) 2014 which contains policy directions to build strong communities by promoting efficient land use and development patterns. Intensification in built up urban areas is promoted in order to take advantage of transit infrastructure. The subject property is located close to Eglinton Avenue East and the planned LRT. A future LRT stop will be located at the intersection of Wynford Drive and Eglinton Avenue East in proximity to the subject site. The proposal supports an efficient use of land and existing infrastructure.

The proposal conforms to the Growth Plan for the Greater Golden Horseshoe. It accommodates redevelopment within a Built-Up Area, which optimizes the use of existing infrastructure to support growth in a compact and efficient form.

Official Plan

Land Use

The subject property is designated as a *Mixed Use Area* which are areas made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings. *Mixed Use Areas* will absorb most of the anticipated increases in retail, office and service employment as well as much of the new housing. The immediate area already contains residential uses in the form of the 34-storey Accolade condominium building and the 6-storey Delmanor senior residence. Additionally, the surrounding area contains a number of residential buildings.

Although not being proposed at this time, the applicant would like the flexibility in the Zoning By-law (Attachments 7 and 8) to be able to convert the 283 hotel/residential units into senior's residence living units. This use is appropriate and fits with the already existing senior's residence and residential uses in the area.

Directing growth to a major arterial in a *Mixed Use Areas* designation that is well served by transit provides housing opportunities close to transit in order to reduce auto dependency. The site is situated along Eglinton Avenue East which is identified as a major arterial and a Higher Order Transit Corridor in the Official Plan. In the future, the site will be serviced by the Eglinton Crosstown LRT with a planned stop at the site at the Eglinton Avenue East and Wynford Drive intersection. The proposed development meets the policies in the *Mixed Use Areas* designation by proposing new housing and also intensifies a site along a higher order transit corridor.

Site Organization

Built Form policies within Section 3.1.2 of the Official Plan require that new development frame and support adjacent streets, parks and open spaces to improve safety, pedestrian interest and casual views to these areas. Developments should locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk and provide ground floor uses that have view into and where possible, access to adjacent streets, parks and open spaces.

The proposed development site has been organized with each of the proposed buildings and their entrances working to frame the adjacent streets and located towards Wynford Drive and Eglinton Avenue East. The proposed development removes a number of surface parking spaces in the general areas where the proposed towers are situated and keeps the parking away from the street edge. The northern most private driveway has been redesigned to enhance the pedestrian realm by providing walkways, street trees and lighting. The vehicular courtyard is landscaped and mirrors the courtyard of the Delmanor courtyard to the south. Both courtyards front and frame the private driveway to the south which provides access to the Accolade and Delmanor properties. The existing hotel and new towers are also organized around a central green terrace along with a green roof area, landscaped area, amenity area and new renovated pool.

Mixed Use Areas policies also require developments to provide an attractive, comfortable and safe pedestrian environment. The subject site is characterized by its elevation above Eglinton Avenue and Wynford Drive which separates it from the surrounding community. Development approvals in 2007 and the current proposal provide better connections from the development into the surrounding community through the site layout and new pedestrian walkways. The two proposed residential towers are sited close to and facing towards Eglinton Avenue East and Wynford Drive. Both buildings provide pedestrian access to these two major streets.

The proposed development promotes an attractive, safe and comfortable pedestrian environment. There are direct pedestrian connections between the buildings, from the new private street, to the outdoor amenities and to the major streets. This contributes towards a sense of community for this development and connects the development to the surrounding neighbourhood. As part of the review of the rezoning application the applicant submitted a conceptual pedestrian connections plan which illustrates all the proposed sidewalks, walkways, trails and paths through the site and linkages to the surrounding area. Staff will further review and secure these connections as part of the site plan approval process.

This application proposes a site layout and built form that is compatible with surrounding uses and is an appropriate development that fits this location.

Height and Massing

The site is part of the Wynford – Concorde Place neighbourhood which is located on the north side of Eglinton Avenue East between the Don Valley Parkway on the west and the East Don River ravine to the north and to the east. The neighbourhood includes 11 apartment buildings and three office buildings located to the north and east of the subject site. The apartment buildings range in height from 13 to 37 storeys. Three apartment buildings which are 28, 29 and 29 storeys in height are located directly across Eglinton Avenue East to the south and are part of the Wynford-Concorde Place neighbourhood. The two tall buildings proposed for the subject site at 30 and 36 storeys fit in the context of the surrounding tall buildings neighbourhood and the site layout, driveways and pedestrian walkways connect the new development to the surrounding neighbourhood.

Built Form Policy 3.1.2.3 provides that new development should be massed to limit impacts on neighbouring streets, parks, open spaces and properties by creating appropriate transitions in scale to neighbouring buildings, providing adequate light and privacy and limiting shadowing and uncomfortable wind conditions.

The uses adjacent to the subject property include other tall buildings on lands designated either *Mixed Use Areas* or *Apartment Neighbourhoods*. This application proposes two tall point tower buildings of 30 storeys at the Wynford Drive frontage and 36 storeys located towards Eglinton Avenue East. The Official Plan establishes policies for the built form of tall buildings and the proposed development complies with the policies and the Tall Building Guidelines. Both tall buildings would include base buildings with heights of 6 storeys. This helps the proposed development fit its context by having the base buildings reflect the heights of the existing hotel and the senior's residence. The two point towers have a maximum floor plate area of 750 m².

Proposed separation distances between the two proposed buildings to the existing 34 storey condominium (The Accolade) on the site exceed the minimum 25 metre distance set out in the Tall Building Guidelines. There is a 58 metre separation distance between the two proposed towers and 62 metres between the existing Accolade condominium tower and the closest proposed tower located towards Eglinton Avenue East. The proposed Wynford tower has a separation distance of 31 metres to the existing senior's residence located at the south east corner of the site. Additionally, the proposed two new towers are setback a minimum of 24 metres from any property line. These setbacks and separation distances will be secured as part of the draft Zoning By-laws (Attachment 7 and 8). These distances provide light and privacy for the adjacent buildings, driveways, ravine lands, and provide skyviews and maintain privacy between the towers.

The Sun and Shadow Study prepared by HCA Architecture shows the proposed tower at Eglinton Avenue East casts a shadow on the existing condominium (The Accolade) for one hour at 9:00 a.m. at the September and March equinoxes. The Study shows that there are acceptable impacts on adjacent areas. The tower floor plates comply with the City's Tall Building Design Guidelines limiting floor plates to a maximum of 750 m². Small tower floor plates with large separation distances between buildings allows for greater access to sunlight. Minimal shadowing

would occur on the new outdoor spaces and on some neighbouring buildings to the north and northeast during the September and March equinoxes, however, the shadows would pass within a 1-2 hour period and would occur in the late afternoon. Balconies at the east and west corners of the buildings have been eliminated and other balconies have been recessed into the units in order to reduce shadow impacts.

The new development results in some shadowing on the ravine to the north. Urban Forestry requested that the applicant's arborist provide a shadow impact study which assesses the affect of shadows on the ravine. Urban Forestry agrees with the arborist's conclusion that the shadow affect on the ravine will be minimal to negligible due to the limited time of shadowing and the existing shade tolerant tree species.

The applicant's consultant conducted a pedestrian level wind study and determined that pedestrian comfort wind conditions in areas on and around the site were satisfactory. Potential wind impacts are reduced with the towers step backs from the base buildings and with landscaping. The tower step backs have been secured as part of the draft Zoning By-laws (Attachments 7 and 8).

In the current proposal the base buildings of both towers have been enlarged to meet the Tall Building Guidelines. The base building heights have been increased from four to six storeys in order to reflect the heights and integrate with the two other existing buildings on the site; the 6-storey Don Valley Hotel and the 6-storey senior's residence. The massing of the base buildings has been increased to create larger step backs to the tower portions of buildings. This is to better define the base buildings and to mitigate wind impacts. This has resulted in slight increases in the height of one of the towers, in the unit count and gross floor area of the proposal.

Currently a 36-storey and a 30-storey building are proposed. The building height for the south tower has increased slightly from the initial submission where a 34-storey building was proposed. The 30-storey building remains at the same height. The number of residential units within the tower component of the development has increased by 29 from 671 to 700 and the gross floor area has increased from 50,279 m² to 54,334 m².

The proposal meets the built form objectives of the Official Plan and the Tall Buildings Guidelines, and the buildings height and massing are appropriate and fit harmoniously into the existing and planned context.

Density

The previous development approval in 2007 permitted a density of 2.0 FSI over the entire site which included the Hotel, the Accolade condominium and the Delmanor senior's residence. The By-law provisions applied collectively to all the lands despite any division of the lands. The proposed addition of two residential buildings including the conversion of the hotel floor space to residential units results in a density of 3.44 FSI over the hotel property and 3.16 over the entire site. The density proposed for the entire site or the density proposed for just the hotel property is appropriate and in keeping with the existing community. In addition, the overall proposed density of 3.44 times the area of the lands is appropriate with the objectives of development on the Eglinton LRT line and where a stop is planned for the intersection of Wynford Drive and Eglinton Avenue.

Planning staff consider the proposed density to be appropriate for this site. The two proposed tall buildings fit the apartment neighbourhood context of tall buildings.

Traffic Impact, Access, and Parking

The applicant's traffic engineering consultant submitted a Transportation Impact Study, dated September 2014, to update the previous report dated March 2013. The report estimates that the project will generate approximately 151 and 167 new two-way trips during the a.m. and p.m. peak hours, respectively. The consultant concluded that for future total traffic conditions, the signalized and unsignalized intersections in the study area will operate at similar levels of service as seen during future background traffic conditions. The applicant's Traffic Impact Study indicates that the surrounding road network can accommodate the increased traffic generated by this site. Transportation Services agrees with the consultant's conclusions.

The proposed 949 parking spaces consist of 656 spaces for residential uses, 140 visitor parking spaces and 153 parking spaces for the hotel. The required parking for this project requires a minimum of 655 spaces for residential units, 140 for visitors and 152 for the hotel for a total of 947 spaces. The proposed parking supply of a total of 949 spaces is sufficient and Transportation Services have reviewed the proposal and are satisfied that the parking and traffic impact are appropriate. The required parking rates have been secured as part of the draft Zoning By-laws (Attachment 7 and 8).

The parking requirements for this site are governed by Site Specific By-law 365-2007 and the applicable parking provisions contained in the former City of North York general Zoning By-law No. 7625. However, Zoning By-law 569-2013 was developed by City staff in order to update the parking requirements for developments. This By-law was adopted by City Council in April 2013. The parking provisions contained in this By-law have been accepted by staff on recent development projects, where appropriate, as the associated parking standards are based on more recent information when compared to the former City of North York general Zoning By-law. As a result, parking for this project shall be provided in accordance with Zoning By-law 569-2013 for Rest of City, as defined in the By-law.

As part of the work for the Eglinton Crosstown LRT, the signalized intersection at the south end of the lands on Wynford Drive will be removed and Wynford Drive will be realigned shifting southeast towards Eglinton Avenue East. The subject development site will no longer have vehicular access from this driveway. The consultant has also reviewed the impact of the Wynford Drive realignment that was included in the TTC's ECLRT Transit Project Assessment Environmental Project Report, dated March 2010. The consultant concludes that the proposed site access to the north will be compatible with the realignment of Wynford Drive under the post-development traffic condition. Transportation Services staff agree with this conclusion.

As per the former City of North York Zoning By-law 7652 and new City of Toronto Zoning By-law 569-2013, a minimum of five loading spaces are required. The applicant has proposed one Type G and three Type B loading spaces. One Type G and two Type B loading spaces are proposed to be located on P1 of Building 2. The other Type B loading space is proposed on the ground level near Building 1. Garbage collection for the residential buildings is proposed to be consolidated. As such, the Type G loading space requirement for Building 1 can be changed to a Type B loading space. The hotel component must meet the by-law requirement for loading and as such, an additional Type C loading space must be provided for the hotel use. The draft Zoning By-laws (Attachment 7 and 8) contain provisions for the required number of loading

Staff report for action – Final Report – 175 Wynford Drive

spaces. Staff will work with the applicant at the site plan stage to ensure that the additional loading space is in an appropriate location.

The existing North driveway access on Wynford Drive is proposed to be maintained and utilized by loading vehicles for the hotel and converted hotel units in the interim and then only by residents should the hotel be completely converted to residential units.

Transportation Services staff have reviewed the proposal with respect to traffic, access and parking and are satisfied that the proposal is appropriate.

Development Engineering

The applicant has submitted a Site Servicing and Grading Plan, and a Stormwater Management and Servicing Report in support of the application. Engineering and Construction Services staff have reviewed the plans and report and have accepted the findings that the existing municipal infrastructure is adequate to service the proposed development. These matters will be secured as part of the site plan approval process.

The applicant is required to undertake further review to confirm whether or not groundwater will be collected and pumped as part of the foundation design of the building. The applicant must provide a clear strategy proposed for this development in the Functional Servicing Report (FSR) with respect to any groundwater pumping and discharge, if deemed necessary. The applicant is to submit a hydrogeological report to determine/identify groundwater levels, including seasonal fluctuations, relation to the elevation of the lowest level of the proposed building. The report is also required to provide the rate, and the quality and quantity of any groundwater proposed to be pumped and discharged. The proposed peak discharge rate proposed by the pumps discharging into the sanitary or storm sewer will be required to be identified. Discharging of groundwater is subject to the provisions of the City of Toronto Municipal Code, Chapter 681- Sewers.

The applicant is to confirm whether the applicable receiving sewer has the capacity to accommodate the groundwater flows. If it is concluded that the groundwater can be discharged to the applicable receiving sewer, the developer is then required to make an application to Toronto Water for permission to discharge groundwater in accordance with City of Toronto Municipal Code, Chapter 681. Any water discharged into the sanitary system is subject to a sanitary disposal fee applied to the owner's water bill.

The draft Zoning By-law Amendments (Attachments 7 and 8) contain a Holding provision (H) that restricts the proposed new development on site until such time as the applicant has addressed issues related to groundwater to the satisfaction of the Executive Director of Engineering and Construction Services.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.80 to 1.56 hectares of local parkland per 1,000 people. The site is in a parkland priority area, as per Alternative Rate Parkland Dedication By-law No. 1020-2010.

The application proposes a residential development comprised of 983 dwelling units on a subject site of 21,377.5m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-
Staff report for action – Final Report – 175 Wynford Drive

2010, the parkland dedication requirement is 12,170m² or 57% of the net site area. For sites greater than 1 ha in size but less than 5 ha, a cap of 15% for residential development is applied. The required parkland dedication is therefore 3,207m².

Parks Forestry and Recreation requires that the applicant satisfy the parkland dedication by providing cash in lieu. The site is in close proximity to the Anewan Greenbelt and Charles Sauriol Conservation Area.

Natural Heritage System and Ravine By-law

A 0.5 hectare finger of the East Don River valley system extends across the northern portion of the subject site and is identified as part of the City's Natural Heritage System shown on Map 9 of the Official Plan and is within the City's Ravine and Natural Feature Protection By-law.

Urban Forestry Ravine & Natural Feature Protection has determined that a Natural Heritage Impact Study is not required for this application. The existing hotel building abuts the ravine and the proposed partial conversion to residential will not include any building footprint expansion. There are no other buildings or structures proposed in or directly adjacent to the ravine.

The applicant is required to submit a revised arborist report for review by Ravine and Natural Feature Protection (RNFP) staff. The arborist report shall detail how the proposed development would impact on protected trees and ecosystem features and functions and provide recommendations for protecting trees and ecosystem features and functions, and for mitigating negative impacts of the proposed development. The applicant will also submit a tree protection plan to RNFP for review and approval detailing how trees proposed for preservation on the property and adjacent properties, if applicable, will be protected during construction. This information will be submitted and reviewed at the site plan approval stage.

The lands below the top of bank in the ravine on the north side of the site have been recognized through the site specific zoning for this property (By-law 365-2007) which includes an Open Space Zone (O1), with a special exception to prohibit any structures.

The Toronto and Region Conservation Authority re-staked the top of slope and dripline of the contiguous vegetation along the north side of the property abutting the O1 zone. As part of that exercise, the top of slope line was extended and there would be partial portions of this area rezoned from RM6 to O1 and vice versa. The net effect would be that an additional approximately 197 m² would be added to the O1 zone. The revised boundaries between the O1 zone and the RM6 zone have been secured as part of the draft Zoning By-law Amendments (Attachments 7 and 8).

In addition, given the change to a residential use within the existing hotel building, the TRCA has requested that the lands below the staked top of bank slope be conveyed into public ownership and that a fence be installed along the staked top of slope line. By conveying the lands and installing a fence, this will delineate the lands to be protected and to remain in a natural state. It will also help reduce any encroachments by new residents. As part of the section 37 agreement and as a matter of legal convenience, staff will require that the subject lands are conveyed into public ownership and that a fence is installed along this area.

A new pedestrian trail is also proposed within the ravine area along the top of slope to provide pedestrian access to the site for existing and new area residents. TRCA is in support of a Staff report for action – Final Report – 175 Wynford Drive

formalized trail due to the increase in public use that can be anticipated with the proposed increase in residential density. A trail would assist in minimizing disturbance to the ravine as residents will be able to follow a defined path. In support of the trail, the TRCA requires an Environmental Impact Study (EIS) to identify the potential impacts of the location and construction of the trail on the natural features and functions part of the ravine. The details of the trail will be further reviewed and secured at the site plan approval stage.

City Street Trees and Toronto Private Tree By-law

The applicant is proposing to protect four trees located on the City's road allowance and Urban Forestry requires a Tree Survival Guarantee in the amount of \$5,143 to ensure protection of the subject trees. Urban Forestry requires a landscaping plan to illustrate new trees to be planted for the right of way fronting Wynford Drive at the time of site plan control and a Tree Planting Deposit of \$583 per tree for the planting of new trees on the City road allowance.

The applicant identified seven privately owned trees that meet the criteria for protection under the City of Toronto's Private Tree By-law. Urban Forestry advises that an application for tree removal is required and either 21 trees are to be replaced on private property and planted or, if this is not possible, payment in lieu of tree planting at a fee of \$583 for every tree to supplement tree planting elsewhere in the City. Through the site plan process staff will work with the applicant to maximize on site tree planting.

Amenity Space

The development proposal provides a number of shared indoor and outdoor amenity areas located throughout the property. There is a total of 1,410 m² of new outdoor amenity space proposed and 1,442 m² of new indoor amenity space proposed for the two new residential towers. The proposed amenity space includes a new children's play area located adjacent to the 36-storey tower. The owner is also pursuing the possibility with the adjacent property owner at the Accolade building of creating additional greenspace to the east of the 34-storey Accolade building and adjacent to the new proposed outdoor pool on the subject site.

The existing hotel that is being partially converted to residential uses also consists of 880 m² of indoor amenity space with a swimming pool, change facilities, a yoga and fitness room. There is also 853 m² of outdoor amenity space in the form of an outdoor terrace and pool.

The total outdoor amenity space proposed for the two new buildings and renovated hotel is 2,263 m² and the total indoor amenity space proposed for the two new buildings and renovated hotel is 2,322m². The proposed amenity space for both indoor and outdoor amenity space exceeds the City's By-law requirement of a minimum of 2m² per unit. Should the remaining hotel units be converted to residential units, the development would still provide in excess of 2m² per unit. The owner has also advised that residents of the partially converted hotel and the residents of the two new buildings would have access to all amenity areas on site. The total amenity area is being secured as part of the draft Zoning By-law Amendments (Attachments 7 and 8) and access to these areas is being secured as part of the Section 37 agreement.

Schools

The Toronto District School Board has advised there is insufficient space at the local schools to accommodate students anticipated from the proposed development. They advise that students from the new development will not displace existing students at local schools and that alternative

arrangements will be identified consistent with optimizing enrolment levels at all schools across the Toronto District School Board. The School Board indicates that at this time, the schools anticipated to serve the development are unknown.

The School Board has requested that as a condition of approval, the applicant enter into an agreement to put up signs advising that students may be accommodated in facilities outside the area until space in local schools becomes available and also include warning clauses in all offers of purchase and sale of residential units, to the effect that students may be accommodated in facilities outside the area and policies on busing. These conditions will be included as part of a site plan approval application.

The Toronto Catholic District School Board has not provided any comments.

Section 37

Priorities in this area for Section 37 community benefits have been identified through studies undertaken for the application at 1185 Eglinton Avenue East at Don Mills Road, a Community Services and Facilities Study prepared by the applicant and through the Eglinton Connects Planning Study for the LRT. As well, representatives on the Residents Working Group and the local Councillor were consulted on community benefit priorities. The identified priorities for Section 37 community benefits include child care services, recreational facilities and operating/meeting spaces for community service organizations.

The closest community services currently available to the residents of the Wynford-Concorde Place neighbourhood are located in the Flemingdon area to the south east or the Don Mills community to the north.

The 2007 approval of the existing development which includes 181 Wynford Drive (the Accolade condominium) and 187 Wynford Drive (Delmanor Seniors residence) included the provision of a 125 m² (1,345 ft²) multi-purpose room in the senior's residence for use as space for programming and a cash contribution of \$500,000 toward community services and facilities.

At this time there is no current community service capital project within the Wynford-Concorde community.

The community benefits recommended to be secured in the Section 37 Agreement for the current development proposal are as follows:

- i. Prior to the issuance of an above grade building permit the Owner shall provide a financial contribution in the amount of \$900,000 to be used toward the provision of a community facility in the vicinity of this development.
- ii. The financial contribution referred to in subsection (i) shall be indexed upwardly in accordance with the Statistics Canada Non-Residential or Apartment Building-Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
- iii. In the event the cash contribution referred to in Section (i) has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the

discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

The following matters are to be secured in the Section 37 Agreement as a legal convenience in support of the development:

- iv. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.
- v. The Owner shall provide pathway improvements on site and public access/connections into the Open Space Area abutting the site along the top of bank to the north from Wynford Drive. The design, location and materials of the access/connections into this area shall be secured through the site plan approval process, in consultation with the Toronto and Region Conservation Authority and to the satisfaction of the Chief Planner and Executive Director, City Planning.
- vi. The Owner shall provide an outdoor recreation area for the use of young children having a minimum area of 80 m², which is of high quality design and of durable materials. The design and materials of the children's play area shall be secured through the site plan approval process, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- vii. The Owner shall provide reciprocal access to all residents at 175 Wynford Drive within the existing 6 storey building and the proposed new 30 and 36 storey buildings, for the purpose of access and use of all indoor and outdoor amenity areas.
- viii. Prior to issuance of the first building permit, including excavation or demolition permits, the owner shall submit and implement a Construction Management Plan and Neighbourhood Communication Strategy, to the satisfaction of the Executive Director, Engineering and Construction Services, in consultation with the Chief Planner and Executive Director, City Planning.
- ix. The owner is required to convey all of the subject site below the top-of-bank zoned as Open Space - O1(36), to the Toronto and Region Conservation Authority and install a fence along the staked top of bank slope line, to the satisfaction of the Toronto and Region Conservation Authority in consultation with the Chief Planner and Executive Director, City Planning.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is now required for all new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The site specific zoning by-law will secure

performance measures for cycling infrastructure and other applicable TGS performance measures such as landscaping will be secured through the Site Plan Approval process.

Site Plan

As identified above, there are a number of site plan details with respect to this project that will need to be reviewed and secured as part of the City's standard site plan approval process. Staff will work with the applicant to ensure: that the pedestrian connections identified through the site, to adjacent sites and to the Eglinton LRT are strengthened and enhanced; landscaped areas and ravine connections are appropriate; children's play area details; hotel floors and lobby configuration function appropriately; and on site tree replacement planting is maximized.

Staff will review the project to ensure that high quality materials and architectural detailing enhance the overall project. Other matters to be reviewed through the site plan process include ensuring for non-reflective building materials as per the City's Bird Friendly Design Guidelines as the site is located adjacent to a ravine area.

An application for site plan approval has not been submitted at this time. In order to ensure that the site plan matters identified above are addressed and secured, as well as any other site and engineering issues arising out of the review of a site plan application, staff are recommending that the draft Zoning By-law Amendments (Attachment 7 and 8) contain a Holding provision (H). The provision includes a condition requiring that the owner submit a complete site plan application and require the owner to execute a site plan agreement with the City prior to lifting of the Holding provision (H).

Conclusion

The proposed development meets the policies in the *Mixed Use Areas* designation by proposing intensification along a higher order transit corridor and proposing a built form and site layout that is compatible with surrounding uses. The proposal meets the intent of the Tall Building Guidelines and the height, density and built form results in an appropriate development that fits this location. The recommended Zoning By-law Amendments are included in Attachments 7 and 8 to this report.

CONTACT

John Andreevski, Senior Planner
Tel. No. (416) 395-7097
E-mail: jandree@toronto.ca

SIGNATURE

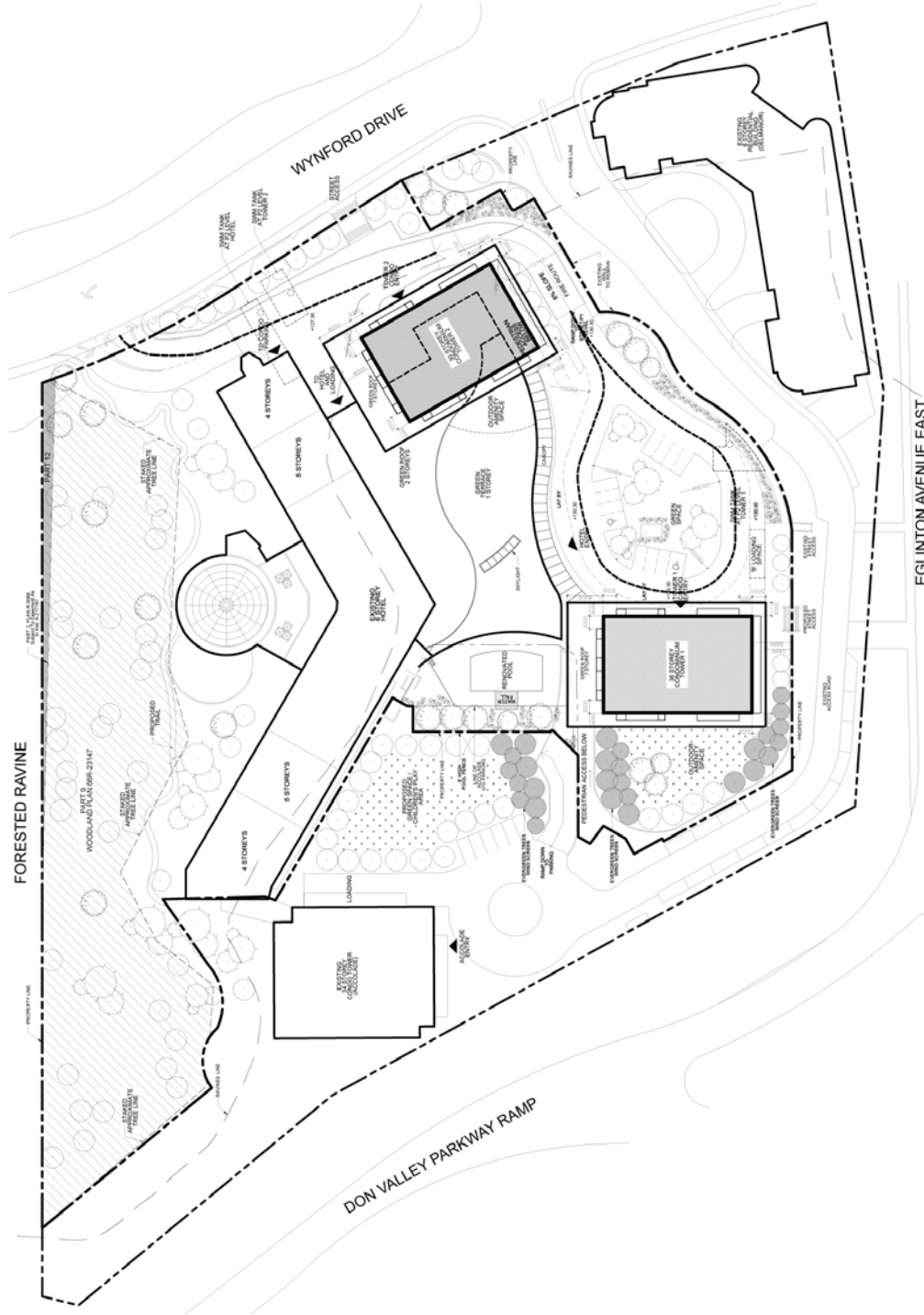
Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Proposed Site Plan

| | |
|----------------|---|
| Attachment 2: | Existing Site Plan |
| Attachment 3A: | South Elevation – Project |
| Attachment 3B: | East and West Elevations – Tower 1 |
| Attachment 3C: | South and North Elevations – Tower 1 |
| Attachment 3D: | South and East Elevations – Tower 2 |
| Attachment 3E: | West and North Elevations – Tower 2 |
| Attachment 4: | 3D Building Mass Model |
| Attachment 5: | Zoning |
| Attachment 6: | Application Data Sheet |
| Attachment 7: | Draft Zoning By-law Amendment (By-law 7625) |
| Attachment 8: | Draft Zoning By-law Amendment (By-law 569-2013) |

Attachment 1: Proposed Site Plan

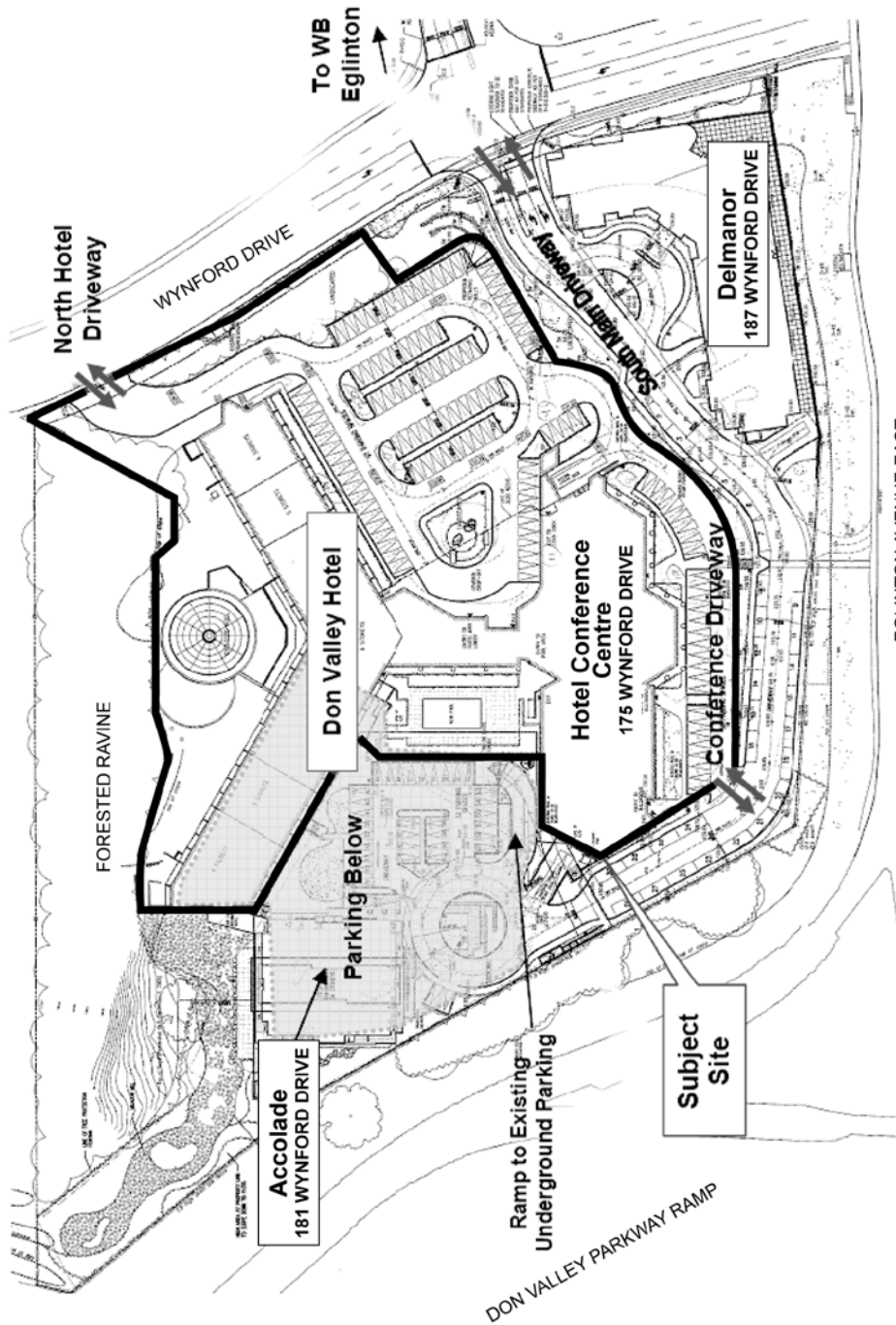


175 Wynford Drive

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 10/08/2015

File # 13 133523 NNY 26 02

Attachment 2: Existing Site Plan



Existing Site Plan

Applicant's Submitted Drawing

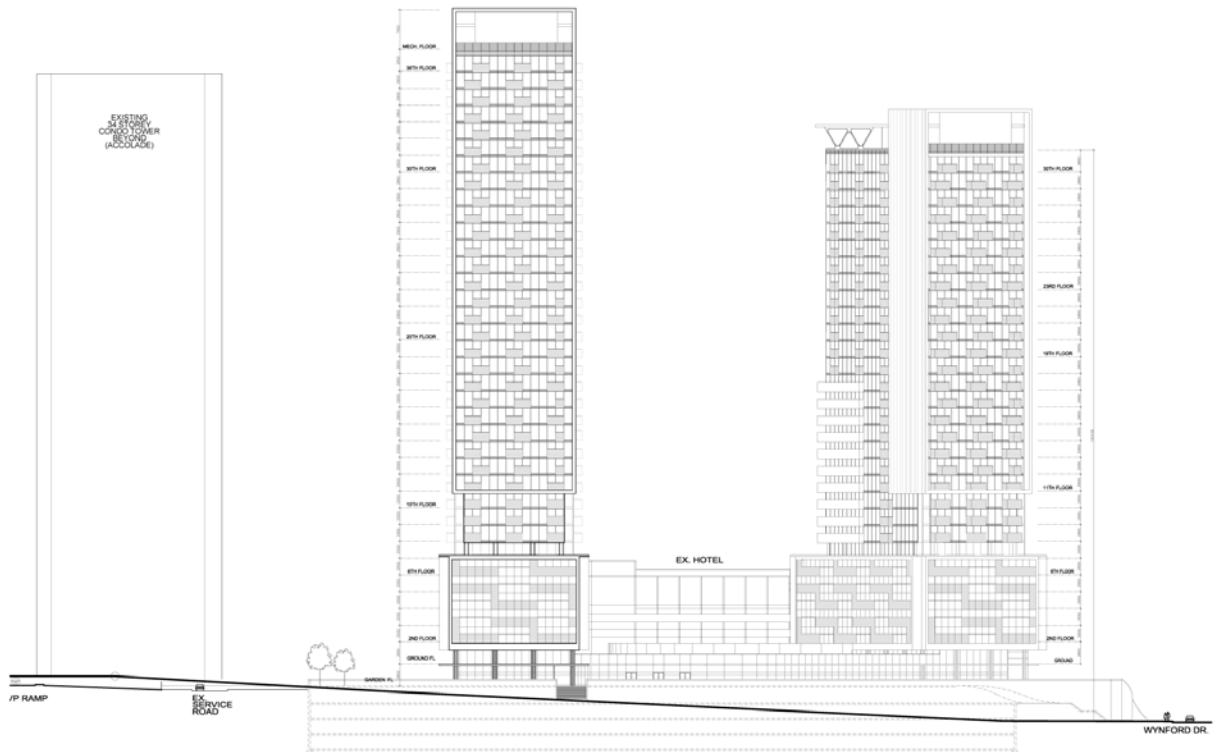
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05/16/2013



175, 181 & 187 Wynford Drive

File # 13 133523 NNY 26 0Z

Attachment 3A: South Elevation - Project



South Elevation - Project

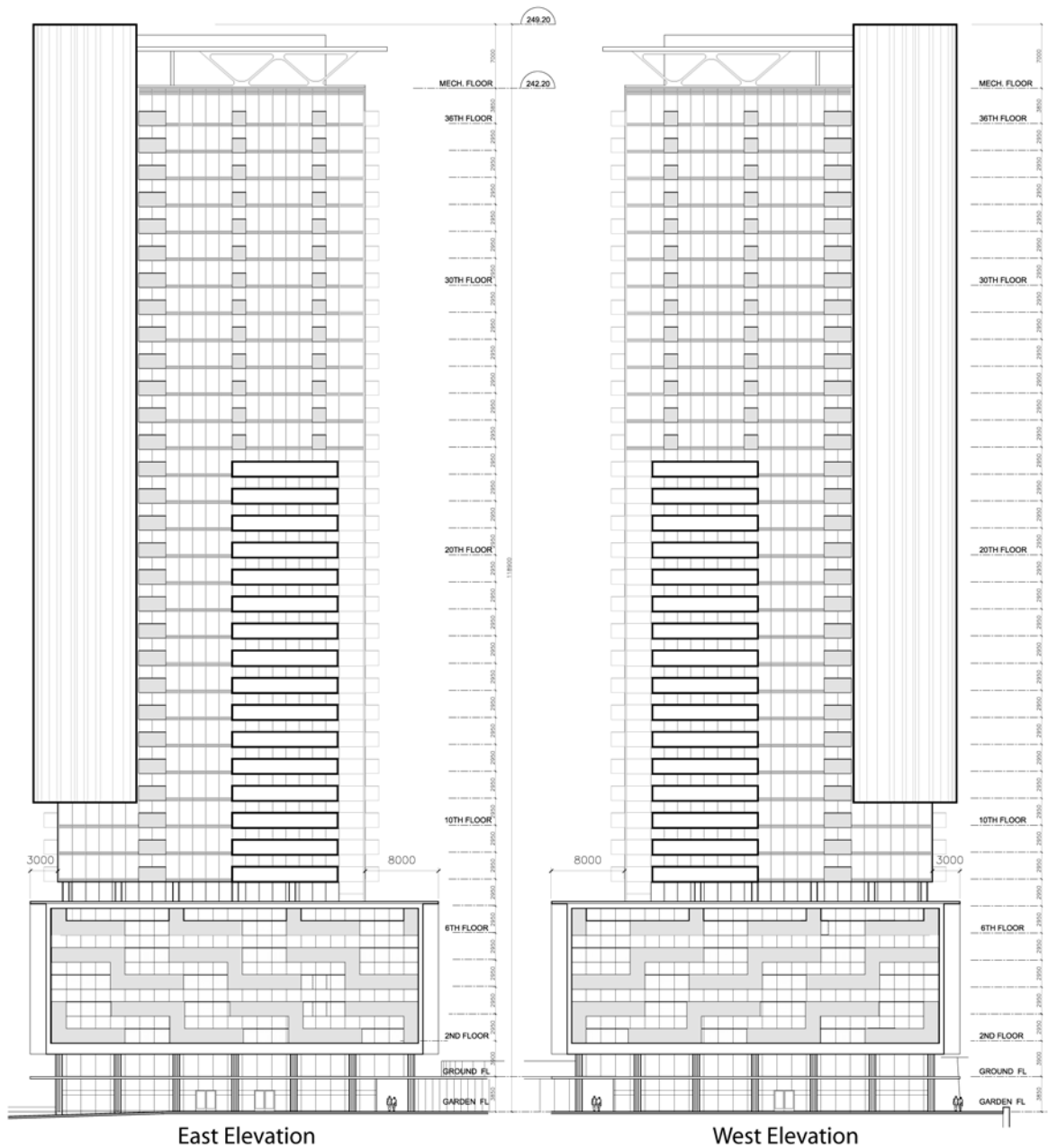
Applicant's Submitted Drawing

Not to Scale
10/08/2015

175 Wynford Drive

File # 13 133523 NNY 26 02

Attachment 3B: East and West Elevations – Tower 1



East & West Elevations - Tower 1

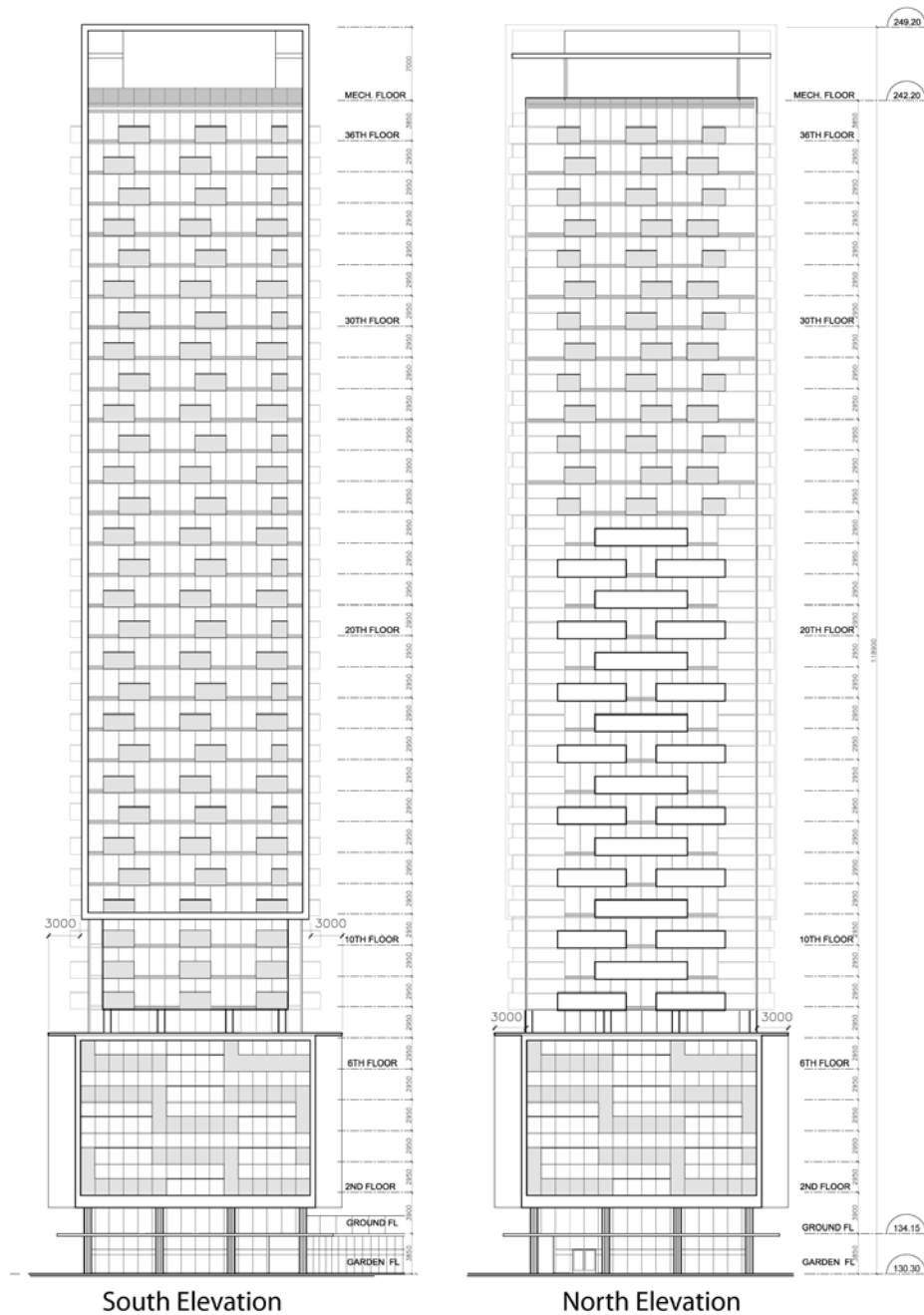
175 Wynford Drive

Applicant's Submitted Drawing

Not to Scale
10/08/2015

File # 13 133523 NNY 26 02

Attachment 3C: South and North Elevations – Tower 1



South & North Elevations - Tower 1

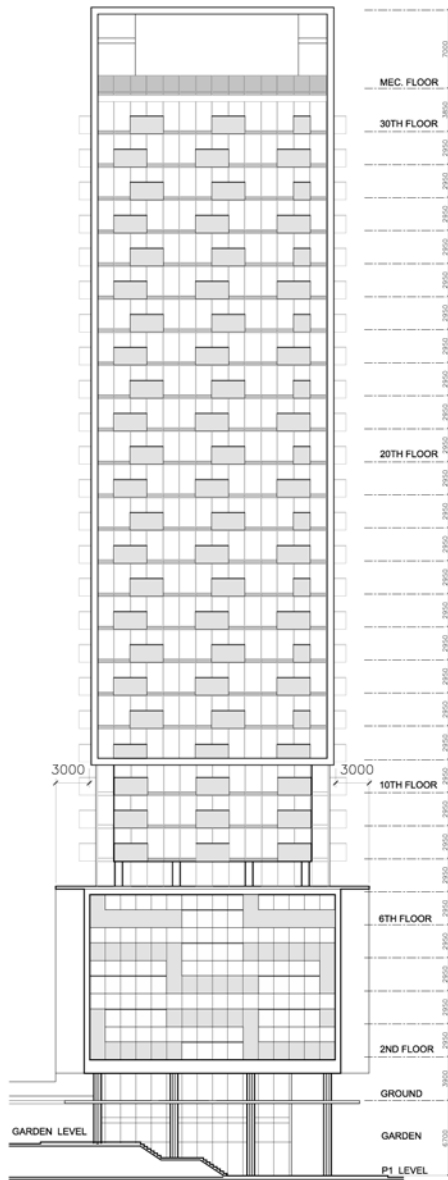
175 Wynford Drive

Applicant's Submitted Drawing

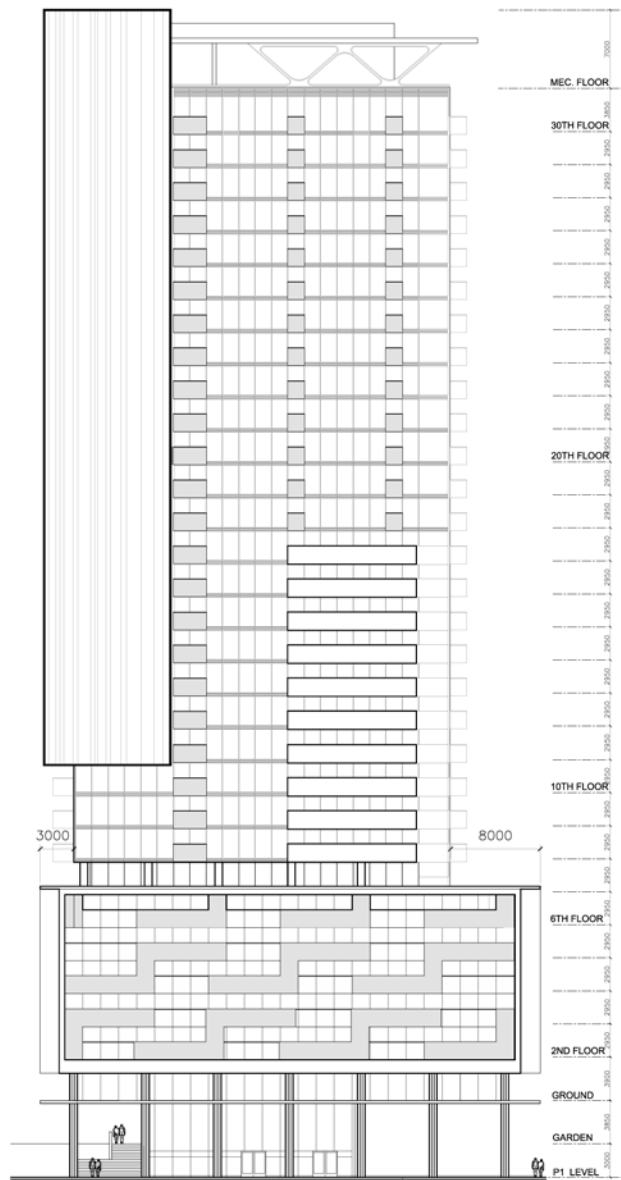
Not to Scale
10/08/2015

File # 13 133523 NNY 26 0Z

Attachment 3D: South and East Elevations – Tower 2



SOUTH ELEVATION



EAST ELEVATION

South & East Elevations - Tower 2

Applicant's Submitted Drawing

Not to Scale
10/08/2015

175 Wynford Drive

File # 13 133523 NNY 26 0Z

Attachment 3E: West and North Elevations – Tower 2



West & North Elevations - Tower 2

Applicant's Submitted Drawing

Not to Scale
10/08/2015

175 Wynford Drive

File # 13 133523 NNY 26 02

Attachment 4: 3D Building Mass Model



Building Model

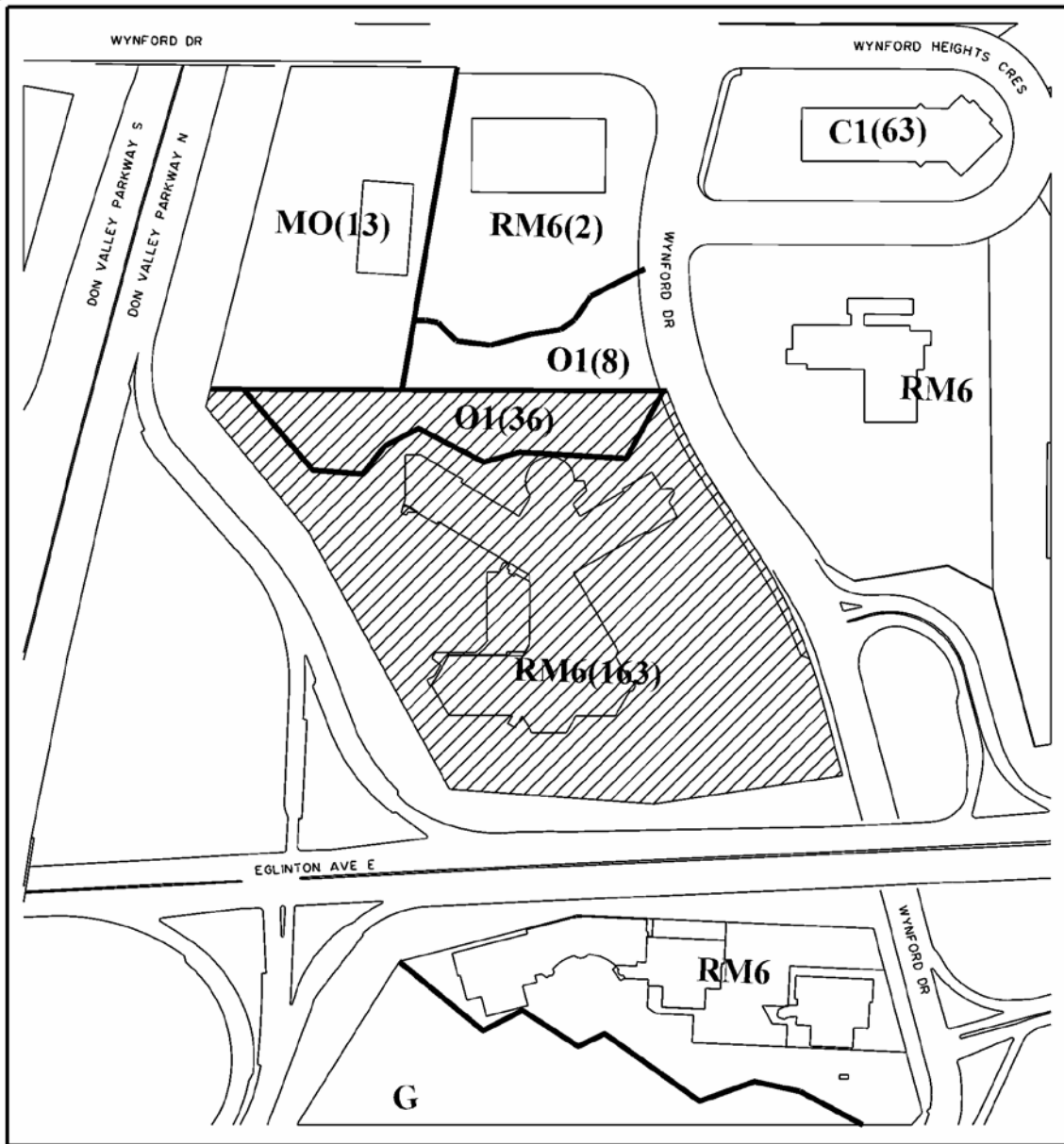
Applicant's Submitted Drawing

Not to Scale
10/08/2015

175 Wynford Drive

File # 13 133523 NNY 26 0Z

Attachment 5: Zoning



Toronto City Planning
Zoning

175, 181 & 187 Wynford Drive

File # 13 133523 NNY 26 02

RM6 Multiple-Family Dwellings Sixth Density Zone

G Greenbelt Zone

C1 General Commercial Zone

MO Industrial-Office Business Park Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

O1 Open Space Zone



Not to Scale
Zoning By-law 7625
Extracted 05/14/2013

Attachment 6: Application Data Sheet

| | | | |
|-----------------------|--|---------------------|---------------------|
| Application Type | Rezoning | Application Number: | 13 133523 NNY 26 OZ |
| Details | Rezoning, Standard | Application Date: | March 14, 2013 |
| Municipal Address: | 175, 181 & 187 WYNFORD DRIVE (FORMERLY 1250 EGLINTON AVE E) | | |
| Location Description: | PLAN M1158 PT BLK B RP 66R23147 PARTS 9 AND 12 **GRID N2602 | | |
| Project Description: | <p>This application is to amend Zoning By-law No. 365-2007, which is a site specific By-law amending former City of North York Zoning By-law 7652, that applies to the properties at 175, 181 and 187 Wynford Drive. The site presently contains a 34 storey apartment building (Accolade condominium - 181 Wynford Drive), a six storey hotel (Don Valley Hotel and Suites – 175 Wynford Drive) and a six storey seniors residence (Delmanor – 187 Wynford Drive). The application proposes to add two residential towers of 30 and 36 storeys containing 700 units along with the partial conversion of the existing hotel to 283 residential/hotel units for a total of 983 new units at 175 Wynford Drive. The development would have a Floor Space Index of 3.16 over all three properties and a Floor Space Index of 3.44 over just 175 Wynford Drive.</p> | | |

Applicant:
HCA Architecture Inc.
191 Eglinton Ave. E. Ste.201
Toronto, M4P 1K1

Agent:

Architect:
HCA Architecture Inc.
191 Eglinton Ave. E.
Ste.201
Toronto, M4P 1K1

Owner:

Allied Don Valley Hotel
Inc.
515 West Pender St. Ste300
Vancouver BC, V6B 6H5

PLANNING CONTROLS

| | | | |
|----------------------------|-------------------|--------------------------|---|
| Official Plan Designation: | Mixed Use Areas | Site Specific Provision: | Y |
| Zoning: | RM6(163), O1(36) | Historical Status: | |
| Height Limit (m): | 107m (34 Storeys) | Site Plan Control Area: | Y |

PROJECT INFORMATION

| | | | | |
|------------------------------------|----------------------|---------|-----------------|--------------|
| Site Area (sq. m): | 21377.5 (Hotel Site) | Height: | Storeys: | 36 |
| Frontage (m): | 90 | | Metres: | 112m |
| Depth (m): | Irregular | | | |
| Total Ground Floor Area (sq. m): | 4791 | | | Total |
| Total Residential GFA (sq. m): | 62,832 | | Parking Spaces: | 949 |
| Total Non-Residential GFA (sq. m): | 10,015 | | Loading Docks | 5 |
| Total GFA (sq. m): | 72,847 | | | |
| Lot Coverage Ratio (%): | 0.32 | | | |
| Floor Space Index: | 3.44 | | | |

UNITS

FLOOR AREA BREAKDOWN (upon project completion)

| | | | | |
|--------------|-------|------------------------------|--------------------|--------------------|
| Tenure Type: | Condo | | Above Grade | Below Grade |
| Rooms: | | Residential GFA (sq. m): | 62,832 | 0 |
| Bachelor: | 70 | Retail GFA (sq. m): | | 0 |
| 1 Bedroom: | 496 | Office GFA (sq. m): | 0 | 0 |
| 2 Bedroom: | 276 | Industrial GFA (sq. m): | 0 | 0 |
| Hotel Room: | 141 | Non-residential GFA (sq. m): | 10,015 | 0 |
| Total Units: | 983 | | | |

CONTACT: **PLANNER NAME:** John Andreevski, Senior Planner, 416-395-7097, jandree@toronto.ca

Attachment 7: Draft Zoning By-law Amendment (By-law 7625)

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on
~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend former City of North York Zoning By-law No. 7625, as amended, and as further amended by By-law No. 365-2007, with respect to the lands municipally known as, 175, 181, 187 Wynford Drive (formerly 1250 Eglinton Avenue East)

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

Whereas authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by former City of North York Zoning By-law No. 7625, as amended, and as further amended by By-law No. 365-2007, is permitted in return for the provision of the

facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law No. 365-2007 is amended by deleting Schedule 1 and replacing it with amended Schedule 1A and 1B attached and forming part of this By-law.
2. By-law No. 365-2007 is amended by deleting Schedule RM6(163) and replacing it with amended Schedule RM6(163) attached and forming part of this By-law.
3. The lands subject to this By-law are outlined by heavy black lines as shown on Schedule 1A attached to and forming part of this By-law.
4. By-law No. 365-2007 is amended by deleting Section 3(a) through 3(g), 3(j) through 3(p), and 3(r) through 3(aa), and replacing them with Sections 5 and 6 of this By-law as identified below.
5. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (163) RM6(163)

DEFINITIONS

(a) Retirement Residence

For the purposes of this exception **Retirement Residence** shall mean a building or structure that provides living accommodation primarily to retired persons or couples where each living unit has a separate entrance from a common hall and contains sanitary facilities, and where common facilities are provided for the preparation and consumption of meals.

(b) Established Grade

(i) For the purpose of this exception **Established Grade** shall mean the average elevation at the midpoint of the main front wall of the building. For Building 'A' the main front wall shall be the south wall of the building and the established grade shall be 132.75 metres and for the **Retirement Residence** the main front wall shall be the north wall of the building and the established grade shall be 125.25 metres.

(ii) For Building 'D' the main front wall shall be the east wall of the building and the established grade shall be 130.30 metres and for Building 'E' the main front wall of the building shall be the east wall of the building and the established grade shall be 127.30 metres.

(iii) For the 1-storey base building and 2-storey base building, the **established grade** shall be 130.30 metres.

(iv) For Building 'C', **established grade** shall be defined as per former City of North York Zoning By-law 7625.

(c) **Gross Floor Area**

For the purposes of this exception, **Gross Floor Area** shall mean the total area of all of the floors in a building, measured between the outside walls of the building at the level of each floor but excluding:

- (i) all below grade areas, including parking and storage, stairs, bicycle storage, garbage rooms and any part of a building used for mechanical floor area.

(d) **Mechanical Floor Area**

For the purpose of this exception, **Mechanical Floor Area** means the floor area within a building that is used exclusively for the accommodation of mechanical equipment necessary to physically operate the building such as heating, ventilation, air conditioning, electrical, telephone, plumbing, fire protection and elevator equipment including shafts.

(e) **Bicycle Parking Space**

For the purpose of this exception:

- i. **Bicycle Parking Space** shall mean an area used for parking or storing a bicycle.
- ii. **Bicycle Room** shall mean an indoor space that is designed and equipped for the purpose of parking and securing bicycles.
- iii. **Stacked Bicycle Parking Space** means a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces.

- (f) For the purpose of this exception, Buildings 'A', 'B', 'C', 'D', and 'E' shall be those buildings shown on Schedule "RM6(163)".

PERMITTED USES

- (g) As shown on Schedule RM6(163), the only permitted uses shall be:

- (i) **Apartment House Dwellings** (Building 'A', 'C', 'D' and 'E') and uses accessory thereto, including private recreational amenity areas;
- (ii) **Retirement Residence** (Building 'B' and Building 'C') and accessory uses including common lounges, recreation facilities, retail and personal

service shop uses and community centre uses; and

- (iii) **Hotel** and uses accessory thereto (Building 'C'), including recreational amenity uses and associated commercial uses including a restaurant and gift shop.

(h) Use Qualifications

- (i) Outdoor private recreational amenity areas may be located on rooftop terraces.

EXCEPTION REGULATIONS

GROSS FLOOR AREA

Notwithstanding By-law 365-2007, Section 3. - **EXCEPTION REGULATIONS, GROSS FLOOR AREA**, clause (h), the following shall apply.

- (i) The maximum permitted gross floor areas are as follows:
 - (i) **Apartment House Dwelling** (Building 'A') 31,482 m²;
 - (ii) **Retirement Residence** (Building 'B') 10,899 m²;
 - (iii) **Hotel** and/or **Apartment House Dwelling** or **Retirement Residence** (Building 'C') 18,550 m²;
 - (iv) **Apartment House Dwelling** (Building 'D') 29,800 m²; and
 - (v) **Apartment House Dwelling** (Building 'E') 24,550 m².

FLOOR SPACE INDEX

Notwithstanding By-law 365-2007, Section 3. - **EXCEPTION REGULATIONS, FLOOR SPACE INDEX**, clause (i), the following shall apply.

- (j) The total permitted development on these lands, as identified on Schedule RM6(163), shall not exceed a floor space index of 3.17.

DWELLING UNITS

- (k) The maximum number of **Apartment House Dwelling** units in Building 'A' shall be 328.
- (l) The maximum number of **Apartment House Dwelling** units in Building 'D' shall be 380.
- (m) The maximum number of **Apartment House Dwelling** units in Building 'E' shall be 320.

HOTEL ROOMS, DWELLING UNITS AND LIVING UNITS - BUILDING 'C'

- (n) The maximum number of hotel rooms provided for renting as dwellings within the **Hotel** (Building 'C') shall be 353.
- (o) The maximum number of hotel rooms provided for renting as dwellings and the maximum number of **Apartment House Dwelling** units within Building 'C' combined at the same time, shall be a maximum of 141 hotel rooms for renting and 142 **Apartment House Dwelling** units.
- (p) Should the hotel cease operations, a maximum of 283 **Apartment House Dwelling** units or a maximum of 283 **Retirement Residence** living units may be provided within Building 'C'.

RETIREMENT RESIDENCE

- (q) The maximum number of living units shall be 120 in Building 'B'.

LANDSCAPING

- (r) The provisions of Section 15.8(a) shall not apply.

LOT AREA

- (s) The provisions of Section 20-A.2.1 regarding lot area shall not apply.

LOT COVERAGE

- (t) The provisions of Section 20-A.2.2 shall not apply.

FLOOR AREA

- (u) The provisions of Section 20-A.2.5 shall not apply.

RECREATIONAL AMENITY AREA

- (v) Indoor **recreational amenity area** shall be provided in accordance with the following minimum requirements:
 - (i) **Apartment House Dwelling** (Building 'A') 506 m²;
 - (ii) **Retirement Residence** (Building 'B') 826 m²;
- (w) **Recreational amenity area** shall be provided in accordance with the following minimum requirements:
 - (i) **Hotel, Apartment House Dwelling or Retirement Residence** (Building 'C') - 880 m² of indoor **recreational amenity area** and 853 m² of outdoor

recreational amenity area.

- (ii) **Apartment House Dwelling** (Building 'D' and Building 'E') – A total for both buildings of 1,442 m² of indoor **recreational amenity area** and 1,410m² of outdoor **recreational amenity area**.

FLOOR PLATE SIZE

- (x) The maximum tower floor plate size, excluding balconies, for Building 'D' shall be 750 m² and for Building 'E' shall be 750 m².

BUILDING STEPBACKS

- (y) Building tower stepbacks will not be less than the minimum distance in metres as shown on Schedule RM6(163).

DISTANCE BETWEEN BUILDINGS

- (z) Notwithstanding Section 20-A.2.4.1, the separation distances between Buildings 'A', 'B', 'C', 'D' and 'E' shall not be less than the minimum distance in metres as shown on Schedule RM6(163).

YARD SETBACKS

- (aa) Notwithstanding Section 20-A.2.4, the minimum yard setbacks for all buildings and structures shall not be less than the minimum distances in metres as shown on Schedule RM6(163).
- (bb) Notwithstanding Section 20-A.2.4, the minimum yard setbacks for underground parking structures shall be 0 metres, only for Building 'A' along the West lot line and only for Building 'B' along the South lot line.

PERMITTED PROJECTIONS

- (cc) Projections outside of building envelopes and into yard setbacks, building stepbacks and separation distances permitted in this clause are as follows:
- i. Notwithstanding Section 6(9) belt courses, cornices, eaves or gutters, pilasters and sills may project up to 0.5 metres beyond the permitted building envelopes into minimum yard setbacks, building stepbacks and separation distances;
 - ii. Canopies and awnings may project up to 2.5 metres beyond minimum yard setbacks, building stepbacks and separation distances;
 - iii. Lighting fixtures, trellises, guardrails, fences and screens, transformer vaults, vents, utilities, railings, stairs, stair enclosures, access ramps, elevating devices and landscape features or structures may project beyond building envelopes into minimum yard setbacks, building stepbacks and separation distances except that transformer vaults are not permitted in the minimum yard setbacks to public

roads;

- iv. Notwithstanding any setback, stepback or separation distance requirements, balconies on the east and west elevations of Building 'D' and Building 'E' shall be permitted to encroach a maximum of 1.5 metres beyond the building and tower envelopes into minimum yard setbacks, building stepbacks and separation distances;
- v. Notwithstanding sub clause (cc) iv of this By-law, balcony projections shall not be located closer than 3.0 metres from the exterior corner wall of the building for Building 'D' and Building 'E'.

HEIGHT

- (dd) The maximum building heights shall not exceed the heights in metres and storeys as shown on Schedule RM6(163), subject to the following exceptions for elements on the roof:
 - (i) parapets or other ornamental elements may exceed the maximum building height on Schedule RM6(163) by no more than 2.0 metres.
 - (ii) A penthouse or other roof structure which is used only as an ornament or to house mechanical equipment of the building or stairwells to access the roof does not constitute a storey and will be disregarded in calculating the height of the building in storeys and in metres provided it shall not exceed a height of 7 metres for 40% of the area of the roof.

VEHICLE PARKING

- (ee) Notwithstanding Section 6A(2), the following parking rates/requirements shall apply:
 - (i) For Building 'A', a minimum 1.35 parking spaces per **Apartment House Dwelling** unit of which, 0.25 parking spaces per dwelling unit shall be for the use of visitors for Building 'A';
 - (ii) For Building 'B', a minimum of 0.5 parking spaces per living unit for the **Retirement Residence** of which 0.25 parking spaces per living unit shall be for the use of visitors and staff for Building 'B';
 - (iii) For Building 'C', for **Hotel** and associated **Hotel** uses, a minimum parking rate of 0.54 spaces per room provided for renting as a dwelling.
 - (iv) For Building 'C', a minimum parking rate of 0.3 spaces per living unit for a **Retirement Residence**.
 - (v) For Buildings 'C', 'D' and 'E', parking spaces must be provided and maintained in accordance with the following minimum standards:

| | | |
|------|---|---------------------|
| i. | Bachelor Units (up to 45 m ²) | 0.8 spaces per unit |
| ii. | Bachelor Units (more than 45 m ²) | 1.0 spaces per unit |
| iii. | 1-Bedroom Units | 0.9 spaces per unit |
| iv. | 2-Bedroom Units | 1.0 spaces per unit |
| v. | 3+ Bedroom Units | 1.2 spaces per unit |
| vi. | Visitor Spaces | 0.2 spaces per unit |

(vi) For **Apartment House Dwellings** units within Building 'C', Building 'D' and Building 'E', a minimum of 0.6 occupant bicycle **parking spaces** per dwelling unit shall be provided and a minimum of 0.15 visitor **bicycle parking spaces** per dwelling unit shall be provided.

(vii) Resident **bicycle parking spaces** shall be located:

1. on the first storey of the building;
2. on the second storey of the building;
3. on levels of the building below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50% of the area of that level is occupied by bicycle parking spaces, until all required bicycle parking spaces have been provided.

(viii) Required **bicycle Parking Spaces** for residents may not be located:

1. in a dwelling unit;
2. on a balcony; or
3. in a storage locker.

(ix) A **bicycle parking space** must have a minimum length of 1.8 metres, minimum width of 0.6 metres, and minimum vertical clearance from the ground of 1.9 metres;

(x) A **bicycle parking space** if placed in a vertical position on a wall, structure or mechanical device must have a minimum length or vertical clearance of 1.9 metres, minimum width of 0.6 metres, and minimum horizontal clearance from the wall of 1.2 metres;

(xi) If a **stacked bicycle parking space** is provided, the minimum vertical clearance for each bicycle parking space is 1.2 metres;

(xii) An area used to provide **bicycle parking spaces** must have a minimum vertical clearance of 2.4 metres if it is a **stacked bicycle parking space**; and 1.9 metres in all other cases.

(ff) The provisions of Section 6A(8)(b) shall not apply;

(gg) Driveways and parking aisles shall have a minimum width of 6.00 metres.

LOADING SPACES

(hh) Notwithstanding Section 6A(16)(a)(iv), for Building 'A' and for Building 'B', a

minimum of one Type-B loading space per building (totaling no fewer than 2 loading spaces) shall be provided;

- (ii) Section 6A(16)(c)(i) and Section 6A(16)(d)(iv) shall not apply for Building 'A' and for Building 'B';
- (jj) Notwithstanding Section 6A(16)(a), the following minimum number of loading spaces (totaling no fewer than 5 loading spaces) shall be provided for Buildings 'D', Building 'E' and Building 'C':
 - (i) Building 'D' – 1 Type B loading space;
 - (ii) Building 'E' – 1 Type G loading space;
 - (iii) Building 'C' – 2 Type B loading spaces and 1 Type C loading space;
- (kk) Section 6A(16)(b), (d)(iv) shall not apply for Building 'C', 'D' and 'E';
- (ll) Loading spaces shall have the following minimum dimensions:
 - (i) Type B Loading Space means a loading space that is a minimum of 3.5 metres wide, 11.0 metres long and has a minimum vertical clearance of 4.0 metres
 - (ii) Type C Loading Space means a loading space that is a minimum of 3.5 metres wide, 6.0 metres long and has a minimum vertical clearance of 3.0 metres;
 - (iii) Type G Loading Space means a loading space that is a minimum of 4.0 metres wide, 13.0 metres long and has a minimum vertical clearance of 6.1 metres
- (mm) Section 6A(16)(c)(i) and Section 6A(16)(d)(iv) shall not apply.

HOLDING PROVISION

- (nn) For lands identified on Schedule RM6(163) with a holding symbol (H), these lands shall not be used for any purpose other than those uses and buildings that existed on the site as of November 10, 2015 until such time as the (H) symbol has been removed. An amending by-law to remove the (H) symbol shall be enacted by City Council when the following conditions have been fulfilled to the satisfaction of Council:
 - (i) The Owner is required to make satisfactory arrangements for managing ground water on the site, and if required, enter into a Discharge Agreement, all to the satisfaction of the Executive Director, Engineering and Construction Services.
 - (ii) The Owner is required to submit a complete site plan application and the Owner is required to enter into a Site Plan Agreement with the City under Section 114 of the *City of Toronto Act*.

DIVISION OF LANDS

- (oo) Notwithstanding any severance or division of the lands subject to this exception and as shown on Schedule RM6(163), the regulations of this exception shall

continue to apply to the whole of the lands.

6. SECTION 37 AGREEMENT

Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density is permitted beyond that otherwise permitted on the lands as shown on Schedule 1A as identified with dashed lines, for the development of Building 'D' and Building 'E' as shown on Schedule RM6(163) in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Appendix "1" hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.

Where Appendix "1" of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

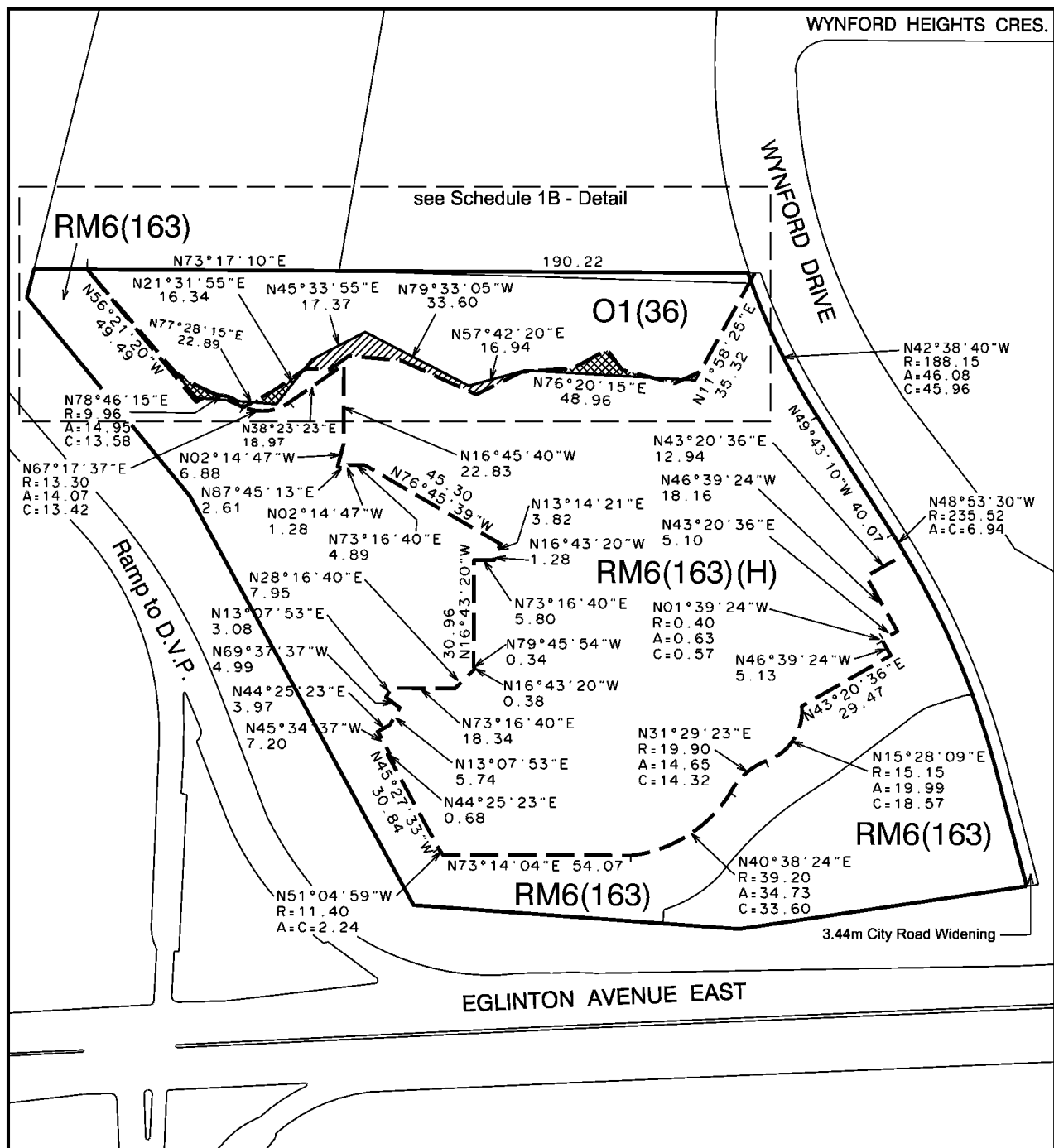
The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Appendix "1" are satisfied.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

(Corporate Seal)

ULLI S. WATKISS,
City Clerk





Schedule 1A

Part of Block B, Registered Plan M-1158, City of Toronto
I.M. Pastushak Limited, O.L.S.

File # 13 133523 NNY 26 02

Date: 10/26/2015
Approved by: J.A.

-  Rezone from RM6(163) to O1(36)
-  Rezone from O1(36) to RM6(163)



Not to Scale

Appendix 1

1. The Owner of the lands identified by dashed lines as shown on Schedule 1A (the "Owner"), shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this by-law applies in the manner and to the extent specified in the agreements. The Owner of the subject lands, at the Owner's expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit an increase in density and height to the maximum gross floor areas cited in Section 5 clause (i) subsections (iv), (v), and Section 5 clause (j), of this exception for Building 'D' and Building 'E':

- (i) Prior to the issuance of an above grade building permit the Owner shall provide a financial contribution in the amount of \$900,000 to be used toward the provision of a community facility in the vicinity of this development.
- (ii) The financial contribution referred to in subsection (i) shall be indexed upwardly in accordance with the Statistics Canada Non-Residential or Apartment Building-Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
- (iii) In the event the cash contribution referred to in Section (i) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

The following matters are to be secured in the Section 37 Agreement in support of the development:

- (iv) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.
- (v) The Owner shall provide pathway improvements on site and public access/connections into the Open Space Area abutting the site along the top of bank to the north from Wynford Drive. The design, location and materials of the access/connections into this area shall be secured through the site plan approval process, in consultation with the Toronto and Region Conservation Authority and to the satisfaction of the Chief Planner and Executive Director, City Planning.

- (vi) The Owner shall provide an outdoor recreation area for the use of young children having a minimum area of 80 m², which is of high quality design and of durable materials. The design and materials of the children's play area shall be secured through the site plan approval process, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- (vii) The Owner shall provide reciprocal access to all residents at 175 Wynford Drive within the existing 6 storey building and the proposed new 30 and 36 storey buildings, for the purpose of access and use of all indoor and outdoor amenity areas.
- (viii) Prior to issuance of the first building permit, including excavation or demolition permits, the owner shall submit and implement a Construction Management Plan and Neighbourhood Communication Strategy, to the satisfaction of the Executive Director, Engineering and Construction Services, in consultation with the Chief Planner and Executive Director, City Planning.
- (ix) The owner is required to convey all of the subject site below the top-of-bank zoned as Open Space - O1(36), to the Toronto and Region Conservation Authority and install a fence along the staked top of bank slope line, to the satisfaction of the Toronto and Region Conservation Authority in consultation with the Chief Planner and Executive Director, City Planning.

Attachment 8: Draft Zoning By-law Amendment (By-law 569-2013)

Authority: North York Community Council Item ~ as adopted by City of Toronto
Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend former City of North York Zoning By-law No. 7625, as amended, and as further amended by By-law No. 365-2007, with respect to the lands municipally known as 175, 181, 187 Wynford Drive (formerly 1250 Eglinton Avenue East)

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

Whereas authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone boundaries and zone label on the Zoning By-law Map in Section 990.10, as shown on Diagram 1; and
2. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.7.10(7), so that it reads:

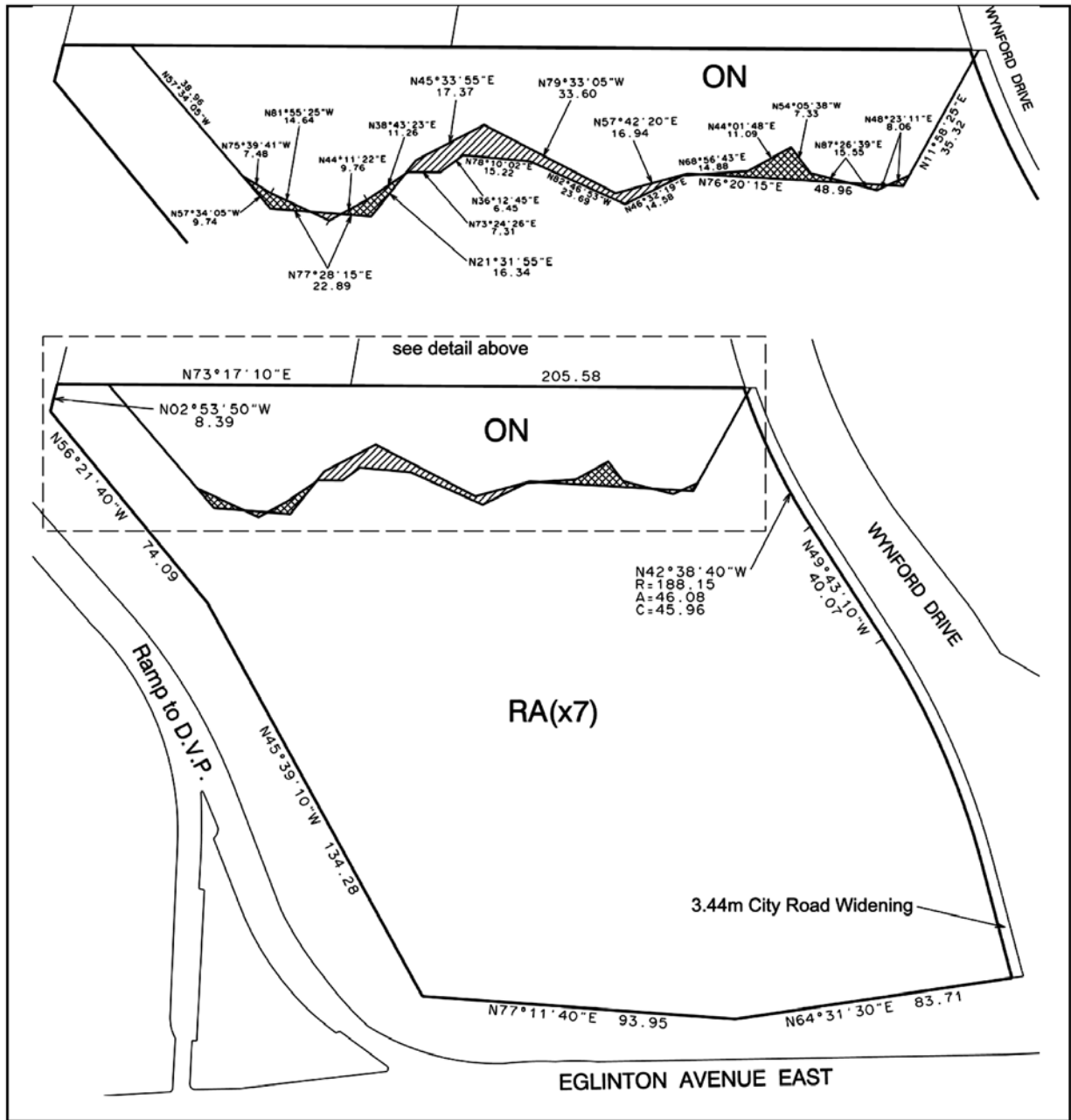
Exception RA (7)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions: (None Apply)

Prevailing By-laws and Prevailing Sections:



(B) City of Toronto By-law [clerks to insert # from North York By-law Amendment].



Toronto
Diagram 1

175, 181 & 187 Wynford Drive

File # 13 133523 NNY 26 02

-  Rezone from RA(x7) to ON
-  Rezone from ON to RA(x7)

City of Toronto By-Law 569-2013
Not to Scale
10/26/2015